

# DOG ATTACKS

## FAQ's for owners of alleged attacking dogs



Isaac Regional Council acknowledges that dog attacks can occur for many different reasons. Dog attack matters are considered to be serious and council actively investigates all reports of dog attacks and aggressive dogs.

### What is a dog attack?

A dog attack is defined as an attack, or act in a way that causes fear to, a person or another animal.

The *Animal Management (Dogs and Cats) Act 2008* prescribes that a person must not allow or encourage a dog to attack, or act in a way that causes fear, to a person or another animal.

### What to do if your dog is involved in an attack?

Secure your property – If your dog has escaped your property, identify how this has occurred by,

- Checking for holes
- Check existing locks or gates and doors
- Consider if the dog could have jumped or climbed over the fence
- Check the condition of your fence

### Can Council seize the dog following an attack?

The *Animal Management (Dogs and Cats) Act 2008* in certain circumstances allows an authorised council officer to seize the dog.

These circumstances include where Authorised Officer believes the dog—

- has attacked, threatened to attack or acted in a way that causes fear to, a person or another animal; or
- is, or may be, a risk to community health or safety; or
- the dog is a restricted dog and a permit application to keep the dog at the place has been refused or not been issued or regulated dog kept in breach of a compliance notice

If a dog is seized, a seizure notice will be issued to the person in charge of the dog at the time of the seizure. The notice will include information in relation to the reason for seizure and visiting information.

### Can I visit my seized dog?

The dog owner may visit the dog during the investigation by appointment.

Approval may be granted, depending on the behaviour of the dog, risk to staff, cooperation of the owner and staff resourcing, for the owner to visit the seized dog.

**FOR MORE INFORMATION:**

**ISAAC.QLD.GOV.AU** | **1300 ISAACS** (1300 47 22 27)

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### Will Council investigate the incident?

Yes, when informed about a dog attack, Council will first confirm that the attacking dog has been secured so that it cannot continue the attack.

Council's next concern is protecting the community. Taking action against the person responsible for a dog attack is an important step in that process. Mitigating any further potential risk to the public and/or obtaining evidence to determine if an offence has been committed under the relevant Act.

### What will Council consider during investigations?

All circumstances surrounding the incident will be considered including the circumstances leading up to the event. The investigation will include obtaining an account of the incident from all relevant parties involved in the matter. The investigating officer will contact the,

- complainant and/or victim;
- the witnesses
- the dog owner/s (if known)

to arrange a time to interview to collect formal statements and evidence. Medical reports and photographic/video evidence may also be obtained. This evidence will determine what course of action will be taken.

The length of an investigation may vary

depending on the complexity of the case and staff resourcing.

Council will keep you informed by providing updates on the progression of the case.

### What action could Council take following investigations?

Council's action will depend on the type of offence that has been committed and the severity of the incident.

If evidence is obtained that establishes your dog was responsible for the attack incident, action may include but not limited to a:

- Warning
- Penalty Infringement Notice (Fine)
- Notice of intention to declare the dog either menacing or dangerous or
- Destruction order or
- a combination of any of the above.

All persons involved will be advised of Council's decision at this stage.

### Dog owner's rights

Owners have the following rights and options:

- A. Surrender the dog to council
- B. Submit for a review (within 14 days after proposed declaration)
- C. Appeal the declaration within 14 days
- D. Refer to Queensland Civil and Administrative Tribunal (QCAT).

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